

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

RAMON A. JOYNER - PLAINTIFF -

v-

ANDRIAN HARENDAK, MEDICAL ADMINISTRATOR.,

DAVID MAZUR, DOCTOR, INFECTIOUS DISEASE,

CARIA COOPER, NURSE PRACTITIONER.,

DIANE KABUKKA, NURSE..

JOHN DOE, X-RAY TECHNICIAN.,

JOHN DOE, X-RAY TECHNICIAN..

MATTHEW WOFFARD, C.E.O. CONNECTIBAL..

DEFENDANTS.

Civ. Action No. \_\_\_\_\_

(To be assigned by Clerk's  
Office)

**COMPLAINT**

(*Pro Se* Prisoner)

Jury Demand?

Yes

No

*(In the space above enter the full name(s) of the defendant(s).)*

*If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Section IV. Do not include addresses here.)*

**NOTICE**

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

**I. COMPLAINT**

Indicate below the federal legal basis for your claim, if known. This form is designed primarily for pro se prisoners challenging the constitutionality of their conditions of confinement, claims which are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

Check one:

- 42 U.S.C. § 1983 (state, county, or municipal defendants)
- Action under *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971) (federal defendants)

**II. PLAINTIFF INFORMATION**JAYLER A. RAMON

Name (Last, First, MI)

Aliases

00786081

Prisoner ID #

JAMES T. VANGUARD CORRECTIONAL CENTER

Place of Detention

1181 PADDOCK ROAD

Institutional Address

SAN JUAN, DE 19977

County, City

State

Zip Code

**III. PRISONER STATUS**

Indicate whether you are a prisoner or other confined person as follows:

- Pretrial detainee
- Civilly committed detainee
- Immigration detainee
- Convicted and sentenced state prisoner
- Convicted and sentenced federal prisoner

(Decl. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

**IV. DEFENDANT(S) INFORMATION**

Please list the following information for each defendant. If the correct information is not provided, it could result in the delay or prevention of service. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant 1: HARWOOD ANDRIAN

Name (Last, First)

MEDICAL ADMINISTRATOR

Current Job Title

J.T.V.C.C 1181 PADDICK Rd

Current Work Address

Smyrna, DE 19971

County, City

State

Zip Code

Defendant 2: MAZUR, DAVID

Name (Last, First)

DOCTOR

Current Job Title

J.T.V.C.C 1181 PADDICK Rd

Current Work Address

Smyrna, DE 19971

County, City

State

Zip Code

Defendant 3: COOPER, CARLANAME (LAST, FIRST)NURSE PRACTITIONERJ.T.V.C.C 1181 PADDICK RdSmyrna, DE 19971

(Decl. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

Defendant(s) Continued

Defendant 4: KABULUKA, DIANE

Name (Last, First)

NURSE

Current Job Title

J.T.V.C.C 1181 Paddock Rd.

Current Work Address

Smyrna, DE 19977

County, City

State

Zip Code

Defendant 5: DOE John

Name (Last, First)

X-RAY TECHNICIAN

Current Job Title

J.T.V.C.C 1181 Paddock Rd

Current Work Address

Smyrna, DE 19977

County, City

State

Zip Code

DEFENDANT 6: John Doe

X-RAY TECHNICIAN

H.R.Y.C.I. 1301 E. 12<sup>TH</sup> STREET

wilm. DE 19809

DEFENDANT 7: WOFFORD MATTHEW

C.E.O. CONNECTDADS C.S.P. INC.

500 WEST 10<sup>TH</sup> ST.

wilm. DE 19801

V. STATEMENT OF CLAIM

PLACES OF OCCURRENCES: i. HOWARD R. YOUNG CORRECTIONAL INSTITUTION  
ii. JAMES T. VAUGHN CORRECTIONAL FACILITY

DATES OF OCCURRENCES: FEBRUARY 2015 - MARCH 2018 - ONGOING

STATE WHICH OF YOUR FEDERAL CONSTITUTIONAL AND/OR STATUTORY RIGHTS HAVE BEEN VIOLATED:

- i. DELIBERATE INDIFFERENCE TO SERIOUS MEDICAL NEED - EIGHTH AMENDMENT  
ii. DUTY OWNED OF A STANDARD OF CARE - FOURTEENTH AMENDMENT

FACTS: DESCRIBE HOW EACH DEFENDANT WAS INVOLVED AND WHAT INJURIES ARE, WHAT HAPPENED...

NOTE: PLAINTIFF IS A PRO SE PRISONER WITH NO KNOWLEDGE OF LAW. I HAVE OBTAINED ASSISTANCE FROM ANOTHER INMATE IN BRIBING ACTION AND I WILL PRESENT CASE AS BEST I CAN.

1. I WAS INCARCERATED FEBRUARY 2015 AND DURING INTAKE AT HOWARD R. YOUNG CORRECTIONAL INSTITUTION, "H.R.Y.C.E" I WAS GIVEN THE NORMAL REVIEW AND MEDICAL TESTS AND...
- i. OUTSIDE OF MY BED, I HAD NO MEDICAL ISSUES. MOREOVER ...
    - a). TB TESTS WERE ALL NEGATIVE
2. LATE 2015 - NOVEMBER / DECEMBER, I BEGAN TO GET SICK. SWEATING, COUGHING, CHILLS, TROUBLE BREATHING, LOSS OF APPETITE... COMED BACK AND FORTH TO MEDICAL. NONE OF THE TREATMENTS HELPED ME GET BETTER...
- i. I WAS GIVEN CHEST X-RAYS BY DEFENDANT JOHN DOE AND SUPPOSEDLY NOTHING WAS REVEALED
  - ii. TB TESTS IN FEB. 2015 WERE ALL NEGATIVE AND NOT READMINISTERED

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

Who did  
what?

3. I WAS PUT IN THE INFIRMARY AT N.R.Y.C.I., WHERE IT SEEMED AS IF I WAS GETTING BETTER AND I WAS RELEASED BACK INTO POPULATION.  
i. I STILL HAD ISSUES BREATHING, NO APPETITE, AND CHILLS AND I WAS ABLE TO COMMUNICATE IMMEDIATELY.. However:  
a). I DO NOT REMEMBER THE DOCTOR NOR THE NURSES THAT WERE TREATING ME EXCEPT FOR NURSE PRACTITIONER "CARLA COOPER"
4. In November 2016 I WAS TRANSFERRED TO JAMES T. VAUGHN CORRECTIONAL CENTER WHERE:  
i. I EXPLAINED TO ANOTHER NURSE MY ISSUES ...  
ii. SHE GAVE ME THE NECESSARY INTAKE REVIEW OF:  
a). TB TEST  
b). TRIAGE  
c). EXPLAINED SICK CALL PROCESS
5. I WAS PUT IN A BLOC WHERE NURSE DIANE KABUKA WAS SHOWN MY ARM WHICH WAS SEVERELY SWOLLEN AND PUNCTURED FROM THE TB TESTS ... However:  
i. SHE TOLD ME IT WAS OKAY, I WAS ALRIGHT AND HAD NOTHING TO WORRY ABOUT.
6. I PROGRESSIVELY GOT WORSE. CHILLS, SWELLINGS, COUGHING, BREATHING ISSUES, WEIGHT LOSS, NO APPETITE AND FROM NOVEMBER 2016 UNTIL MARCH/MAY, 2017 I GOT WORSE.
7. I ALSO SAW NURSE PRACTITIONER COOPER AGAIN AND SHE DID NOT DETECT I WAS REALLY REALLY SICK AND...
8. I ALSO SAW DR. MAZUR "Tuberculosis Disease Doctor" who told me he RECEIVED AN E-MAIL ABOUT MY X-RAYS FROM A YEAR AGO... AND HE NEEDED TO DO SOME TESTS.. However:  
i. I EXPLAINED TO DR. MAZUR THE ISSUE ABOUT MY ARM AFTER THE TB TEST AGAIN ...  
ii. LIKE NURSE KABUKA AND NURSE PRACTITIONER COOPER, HE TOLD ME, I HAD NOTHING TO WORRY ABOUT!

(Decl. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

9. I WAS CONSTANTLY GETTING URGES AND ALARMS OF THE TREATMENTS WERE WORKING, AND...

10. IT IS NOTED IN DECEMBER 2016 AN OUTBREAK OF TB HAD BEEN DISCOVERED AT N.R.V.C.I. AND...

11. FINALLY IN APRIL 2017 IT WAS DISCOVERED I HAD NO BREATHING SOUNDS ON MY RIGHT SIDE, AND:

i. I WAS CHECKED BY NURSE ULICKA WHO HAD ME RUSHED TO THE OUTSIDE HOSPITAL "BAY HEALTH - DUCER DUE" WHERE IT:

a). IT WAS DISCOVERED MY RIGHT LUNG WAS COLLAPSED AND I HAD BEEN IN NEED OF SERIOUS MEDICAL ATTENTION...

b). THAT I HAD A SEVERE CASE OF TB THAT HAD CAUSED A HOLE IN MY RIGHT LUNG DUE TO LACK OF TIMELY DIAGNOSIS AND TREATMENT

12. I WAS IN THE OUTSIDE HOSPITAL 3 MONTHS, WHERE:

i. I WAS DIAGNOSED WITH SEVERE TB...

ii. MY RIGHT LUNG WAS TAKEN OUT TO SAVE MY LIFE.

iii. I WAS PUT ON A STRICT REGIMINE OF MEDICATION AND

d). TRANSFERRED BACK TO PRISON.

13. IN THE PRISON INFIRMARY 2 MONTHS AND

14. I HAD TO HAVE A SECOND OPERATION DUE TO INFECTION...

15. I AM ALWAYS DEPRESSED NOW AND I STILL CANT UNDERSTAND WHY DEFENDANT MATTHEW HARWOOD DID NOT ASSURE HIS MEDICAL STAFF ARE PROPERLY TRAINED TO NOTICE, Diagnose AND TREAT THE OBVIOUS SYMPTOMS OF TB!

16. I WROTE DEFENDANT HARWOOD, AND QUESTIONED THE TRAINING OF HIS STAFF... NURSE KABUSKA... PRACTITIONER COOPER... AND INFECTIOUS DISEASE DOCTOR, DR. MAZUR, COULD NOT HAVE NOTICED WHAT THE MEDICAL ISSUE WAS...

17. I SUFFERED GRAVELY OVER 18 MONTHS DUE TO DELIBERATE INDIFFERENCE TO SERIOUS MEDICAL NEEDS!

Was anyone else involved?

18. NOTHING WAS DONE TO PROTECT DRASTICALLY NOR TREAT THE PROGRESSIVE DISEASE OF TB... THE MEDICAL STAFF ARE SUPPOSEDLY TRAINED TO DETECT AND TREAT ME FOR MY AILMENTS!
19. I ALMOST LOST MY LIFE AND I DID LOSE MY RIGHT HAND WHILE I ENDURED UNNECESSARY PAIN AND SUFFERING.

## VI - ADMINISTRATIVE PROCEDURES

Note: IT IS ACKNOWLEDGED THAT ADMINISTRATIVE PROCEDURES MUST BE EXHAUSTED U/S C. § 1997(e)(2).

IS THERE GRIEVANCE PROCEDURE  Yes  No  
HAVE YOU EXHAUSTED GRIEVANCE PROCEDURE  Yes

NOTE: PLAINTIFF HAS ATTEMPTED TO EXHAUST GRIEVANCE PROCEDURES... AND...  
STILL IT IS FURTHER!

## VII. RELIEF

- i. IN THE 8<sup>TH</sup> AMENDMENT CLAIMS OF DELIBERATE INDIFFERENCE TO SERIOUS MEDICAL NEED... \$500,000 "FIVE HUNDRED THOUSAND"
- ii. IN THE 14<sup>TH</sup> AMENDMENT CLAIMS OF BREACH OF DUTY OWED OF INADEQUATE MEDICAL CARE.. \$1500,000 "FIVE HUNDRED THOUSAND"
- iii. FOR THE PAIN AND SUFFERING CAUSED \$500,000 "FIVE HUNDRED THOUSAND"
- iv. INJUNCTIVE RELIEF IN DEMANDING PROPER TRAINING...
- v. ATTORNEY FEES
- vi. PUNITIVE DAMAGES/FUTURE MEDICAL EXPENSES.

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

---

### VIII. PRISONER'S LITIGATION HISTORY

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal *in forma pauperis* in federal court if that prisoner has "on three or more occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. §1915(g).

Have you brought any other lawsuits in state or federal court while a prisoner?

Yes       No

If yes, how many? 0

Number each different lawsuit below and include the following:

- Name of case (including defendants' names), court, and docket number
- Nature of claim made
- How did it end? (For example, if it was dismissed, appealed, or is still pending, explain below.)

N/A.

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

(Del. Rev. 11/14) Pro Se Prisoner Civil Rights Complaint

---

---

#### IX. PLAINTIFF'S DECLARATION AND WARNING

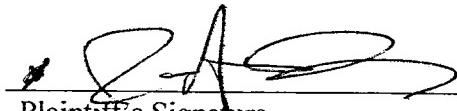
Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; and (3) complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

*Plaintiff must sign and date the complaint and provide prison identification number and prison address.*

MARCH 30, 2018

Dated



Plaintiff's Signature

TOMER A. RAMON

Printed Name (Last, First, MI)

00786081

Prison Identification #

J.T.V.C.C 1181 Pradoval Rd. JAYVANNA, DE 19977

Prison Address

City

State

Zip Code

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.